

U.S. Department of the Interior
Bureau of Land Management
White River Field Office
220 E Market St
Meeker, CO 81641

DETERMINATION OF NEPA ADEQUACY (DNA)

NUMBER: DOI-BLM-CO-N05-2014-0107-DNA

CASEFILE/PROJECT NUMBER: 0501514

PROJECT NAME: Smith C. 10 Year Grazing Lease Renewal

LEGAL DESCRIPTION: Township 1 North, Range 90 West, Sections 19, 20 and 30

APPLICANT: C Lazy S Ranch

ISSUES AND CONCERNS: None

DESCRIPTION OF PROPOSED ACTION: The Proposed Action is to reissue a livestock grazing lease to the C Lazy S Ranch (previously called H.J. Crowell lease) on the Smith C. Allotment (#06814) based on an Environmental Assessment completed in 2005 (CO-110-2002-111-EA). Cattle grazing will be consistent with what was previously authorized; 40 cattle from 6/1 to 6/30 on Pasture 1A-1B South, and 40 cattle from 7/1 to 8/31 on Pasture 2 – North (see Table 1). The allotment is about 742 acres with approximately 344 acres being public land, with 65 acres located in Pasture 1A-1B South and 279 acres located in Pasture 2 – North.

Table 1. Grazing Schedule for the Smith C. Allotment (06814)

Pasture	Livestock		Date		% PL	BLM AUMs
	#	Kind	On	Off		
Pasture 1A-1B South	40	C	6/1	6/30	29	11
Pasture 2 - North	40	C	7/1	8/31	91	74

The proposed grazing schedule meets the minimum rest rotation recommended in the 1997 White River ROD/RMP (i.e., 3/1-6/1 yearly). However, until Pasture 1A-1B South is fenced, the ability to create a rotation grazing system is limited. The allotment is further limited due to being located on a high elevation landscape with common on dates associated with snow melt and spring growth.

Decision to be Made: The BLM will decide whether or not to issue a grazing lease renewal for a 10 year period to C Lazy S Ranch (previously H. J. Crowell) with the same terms and conditions as previously authorized for the Smith C. Allotment.

PLAN CONFORMANCE REVIEW:

Name of Plan: White River Record of Decision and Approved Resource Management Plan (ROD/RMP).

Date Approved: July 1, 1997

Decision Number/Page: 2-22

Decision Language: Maintain or enhance a healthy rangeland vegetative composition and species diversity, capable of supplying forage at a sustained yield to meet the demand for livestock grazing.

REVIEW OF EXISTING NEPA DOCUMENTS:

List by name and date all existing NEPA documents that cover the Proposed Action.

Name of Document: Smith C. Allotment, #06814
Grazing Section 15 Lease Renewal
Environmental Assessment #CO-110-2002-111-EA

Date Approved: February 28, 2005

List by name and date any other documentation relevant to the Proposed Action (e.g., biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report).

Name of Document: Comments on the Smith C. Grazing Allotment Permit (#6814)
Renewal by the U.S. Fish and Wildlife Service

Date Approved: March 10, 2005

NEPA ADEQUACY CRITERIA:

1. Is the new Proposed Action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document? If there are differences, can you explain why they are not substantial?

Yes, the grazing lease to be issued will authorize grazing the same as that authorized to H.J. Crowell, under permit #0501468. This grazing was determined to be in conformance with NEPA and the Land Use Plan in January 1997 and was also analyzed in CO-110-

2002-111-EA. Livestock grazing use will adhere to the grazing schedule outlined above that will identify the duration of livestock use in each pasture of the allotment.

2. Is the range of alternatives analyzed in the existing NEPA document appropriate with respect to the new Proposed Action, given current environmental concerns, interests, and resource values?

Yes. The BLM analyzed two alternatives, the Proposed Action (the current/proposed grazing schedule) and the No Action Alternative (No Grazing). The Smith C. Allotment is a Custodial Category Allotment having no specific management or resource concerns. No reasons were identified to analyze additional alternatives and these alternatives are considered to be adequate and valid for the Proposed Action.

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, and updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new Proposed Action?

Monitoring conducted for the 2002 analysis remains adequate and valid. Further in the 2002 analysis grazing was altered to later turn out dates on both pastures due to riparian area (pond) and migratory bird concerns. The later turn out dates will continue as analyzed previously. There have been no updates of BLM-sensitive species or endangered species listings associated with the Smith C. Allotment that would affect the Proposed Action. It is expected that the Colorado Public Land Health Standards would continue to be met standards under the Proposed Action.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new Proposed Action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

Under the Proposed Action livestock grazing in the Smith C. Allotment will be essentially the same as previously authorized with the defined use periods in each pasture to control use and utilization. There are no other changes in resource management or development associated with this allotment; hence there would be no change to direct, indirect or cumulative effects.

5. Is the public involvement and interagency review associated with existing NEPA documents adequate for the current Proposed Action?

The public involvement and interagency review associated with the existing NEPA document CO-110-2002-111-EA and the current NEPA document DOI-BLM-CO-N05-2014-0107-DNA are adequate. External scoping was conducted by posting this project on the WRFO's on-line National Environmental Policy Act (NEPA) register on 7/15/2014. A copy of the completed DNA will also be posted online and sent to Rio

Blanco County, which has been identified as an interested party for all grazing projects within the county.

INTERDISCIPLINARY REVIEW:

The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on July 8, 2014. A complete list of resource specialists who participated in this review is available upon request from the White River Field Office. The table below lists resource specialists who provided additional remarks concerning cultural resources and special status species.

Name	Title	Resource	Date
Brian Yaquinto	Archaeologist	Cultural Resources, Native American Religious Concerns	8/4/2014
Lisa Belmonte	Wildlife Biologist	Special Status Wildlife Species	9/2/2014
Justina Thorsen	Ecologist	Special Status Plant Species	7/16/2014

REMARKS:

Cultural Resources: There are no cultural-related issues or concerns associated with the Proposed Action. Cultural resource issues were adequately addressed in the original environmental assessment. As stated in the original CO-110-2002-111-EA subsequent cultural resource inventories may be conducted in areas where livestock congregate. Since 2002, a file search of the cultural resource records at the WRFO indicated that, 15 percent or approximately 54 acres of the federally administered portions of the allotment was inventoried at Class III standards in 2011. No sites were identified during this inventory. Currently there are no recorded cultural resources on the federally administered portions of this allotment and no National Register or otherwise Eligible cultural properties are known to be situated in this allotment. Based on available data few or limited resources are expected in this allotment because of the lack of findings by other surveys in the immediate vicinity, and the steep, rough, and heavily vegetated topography of the allotment. No additional cultural resource inventory is needed.

Native American Religious Concerns: No Native American religious concerns are known in the project area, and none have been noted by Ute Tribal authorities. Recent consultations with tribal authorities have indicated that consultation is not desired for projects that have no potential to affect known cultural sites. Should recommended inventories or future consultations with Tribal authorities reveal the existence of such sensitive properties, appropriate mitigation and/or protection measures may be undertaken.

Threatened and Endangered Wildlife Species: An allotment inspection was conducted September 2, 2014 to assess the condition of the wetland complex. Although there was evidence of trampling and moderate utilization of wetland vegetation (sedges), particularly on the periphery of the ponds, the current grazing system did not appear to be incompatible with continued support of wetland vegetation and aquatic species associated with these communities. All other wildlife-related issues were adequately addressed in the original EA (CO-110-2002-111-EA).

Threatened and Endangered Plant Species: There are no occurrences of special status plants or associated habitat in the vicinity of the grazing allotment. There are no special status plant issues or concerns associated with the Proposed Action.

MITIGATION:

The following applicable mitigation from CO-110-2002-111-EA has been carried forward:

1. The BLM and grazing permittee will initiate a weed control program for yellow toadflax. A Pesticide Use Proposal will have to be prepared prior to spraying and all spraying would have to be under the control of a certified applicator.
2. Fencing on all parts of this allotment will be maintained in a functional status to preclude damage/disturbance to wildlife and rangeland resources.
3. Fence maintenance trips should be done as late as possible prior to turning out cattle. Additionally, concerted efforts should be made to conduct this maintenance either on foot or horseback, or with minimal amount of trips via motorized vehicles to reduce disturbance to nesting cranes. Trips for fence maintenance or to move cattle should be directly to the site without loitering near Fawn Creek Pond to reduce the duration of disturbance to the greater sandhill cranes. Annual Turnout of cattle onto Pasture 2 shall not occur prior to July 1 to minimize disruption to greater sandhill crane nest efforts and to allow adequate development of emergent aquatic.
4. Any deficiencies in the fence keeping cattle from the uplands of the southern parcel will be repaired so as to exclude cattle from these uplands.
5. Close monitoring by BLM personnel will occur on Fawn Creek Pond in Pasture 2. It will be monitored at least biannually to assure that the pond maintains a Proper Functioning Condition status. A minimum stubble height of four inches shall be maintained in Pasture 2 on BLM lands, particularly around Fawn Creek Pond. If height is reduced below four inches, the BLM may direct the cattle to be removed prior to the ending date of August 31.
6. Additionally, should this grazing regimen become detrimental to the wetland vegetation in the future (due to drought resulting in reduced riparian plant vigor, for instance), the BLM may require part or all of Fawn Creek Pond to be fenced in a manner to preclude use by cattle, for the purposes of maintaining the integrity of the wetland vegetation/condition.
7. The BLM will continue to make allotment inspections, as deemed necessary, to monitor cattle use to determine any potential adverse impacts to other resource values. If any concerns arise from cattle use, BLM and the permittee will implement appropriate

mitigation measures to ensure future rangeland health standards and guidelines are continued to be met.

8. The permittee shall be required to collect and dispose of any solid wastes generated by the proposed action.

Standard cultural and paleontological resources mitigation includes the following:

1. The permittee is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.
2. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The permittee will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The permittee, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.
3. Pursuant to 43 CFR 10.4(g), the permittee must notify the AO, by telephone and written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), the permittee must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.

COMPLIANCE PLAN: On-going compliance inspections and monitoring will be conducted by the BLM, White River Field Office staff.

NAME OF PREPARER: Melissa J. Kindall

NAME OF ENVIRONMENTAL COORDINATOR: Heather Sauls

CONCLUSION

Based on the review documented above, I conclude that this proposal conforms to applicable land use plan and that the NEPA documentation fully covers the Proposed Action and constitutes BLM's compliance with the requirements of the NEPA.

SIGNATURE OF AUTHORIZED OFFICIAL:

Est M Mc G/L

Field Manager

DATE SIGNED:

9/11/14

ATTACHMENTS: Map

Note: The signed Conclusion in this DNA Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

**Figure 1: Smith C. Allotment with Pastures
#06814**

